

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MAKINA VE KIMYA ENDUSTRISI A.S.,

Plaintiff,

- against -

A.S.A.P. LOGISTICS LTD, ASAP LOGISTICS AND
DEFENSE SECURITY SERVICES LTD., ASAP LOJISTIK
VE SAVUNMA TICARET LIMITED SIRKETI D/B/A ASAP
LOGISTICS AND DEFENSE AND/OR ASAP LOGISTICS
AND DEFENSE GUVENLIK HIZMETLERI SANAYI VE
TICARET LIMITED SIRKETI, TURKKEY CAPITAL
KURUMSAL FINANS COZUMLERI LIMITED SIRKETI
D/B/A TURKKEY CAPITAL KURUMSAL FINANS
COZUMLERI LIMITED SIRKETI, DEBORAH CROSS,
GÜVEN ACARER, METIN NERKIS, TÜRKER KÜÇÜKER
& İLKER KÜÇÜKER.

Defendants.

Case No.: 22-03933

**PLAINTIFF MAKINA VE KIMYA ENDUSTRISI A.S.'S NOTICE OF MOTION
TO EXCLUDE THE EXPERT TESTIMONY OF RAYMOND L. BUMMER**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Declaration of John Ruskusky, dated January 12, 2024, and the exhibits annexed thereto, in the proceedings had herein, Plaintiff Makina ve Kimya Endustrisi A.S. ("MKE"), by its attorneys, Nixon Peabody LLP, move this Court, before the Honorable Arun Subramanian, U.S.D.J. for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, New York, New York, for an Order excluding the reply expert report of Raymond L. Bummer in its entirety for failing to meet the standards of admissibility for expert testimony pursuant to Federal Rules of Evidence 702 and 403, together with such other further relief as this Court may deem just and proper.

Per the Court's text entry dated January 5, 2024, response papers, if any, must be filed by February 9, 2024, with any replies due by February 23, 2024.

Dated: January 12, 2024

NIXON PEABODY LLP

By: /s/ John Ruskusky

John Ruskusky, *pro hac vice*

Alper Tosun

William M. Kirby, *pro hac vice*

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Counsel for Plaintiff

Makina ve Kimya Endustrisi A.S.

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of January, 2024, I caused a true and correct copy of the foregoing document to be served upon all counsel of record by electronically filing it with the clerk of the court using the court's CM/ECF system.

/s/ John T. Ruskusky
John T. Ruskusky

Counsel for Plaintiff